

REMARKS

In an Office Action dated January 10, 2008, the Examiner has maintained the objection to the specification as failing to provide proper antecedent basis for the subject matter of Claim 25. Further, the Examiner has rejected Claims 1, 10-12, 14-15, 18-20, 23-25, 29 and 30 under 35 USC § 103(a) as being unpatentable over USPN 6,356,931 issued to Ismael ("Ismael") in view of US Patent Application Publication No. 2004/0019639 issued to E ("E"). The Examiner has rejected Claim 13 under 35 USC §103(a) as being unpatentable over Ismael in view of E, further in view of USPN 7,086,065 issued to Yeluripati ("Yeluripati"). The Examiner has rejected Claims 3-9, 17, 22, 27 and 28 under 35 USC §103(a) as being unpatentable over Ismael in view of E, further in view of US Patent Application Publication No. 2002/0112044 issued to Hessmer ("Hessmer").

In an examiner interview conducted on April 29, 2008, in which the Examiner's interpretation of the cited references to Ismael and E were discussed, as well as amendments to the claims as proposed by the Applicant, the parties were unable to reach an agreement as to allowable subject matter.

In this response, without admitting the propriety of the rejections and to advance the prosecution of the application as quickly as possible, Applicant submits additional amendments to those proposed on April 29, 2008, including amendments to independent Claims 1, 15, 20 and 25, as well as amendments to dependent claims 5-9. Claims 2, 16, 21 and 26 have been canceled. Therefore, Claims 1, 3-15, 17-20, 22-25 and 27-30

remain pending. Applicant has further amended the specification in accordance with the Examiner's suggestion.

Applicant submits that support for the amendments is found throughout the specification and drawings, and that no new matter has been added. Applicant requests reconsideration of pending Claims 1, 3-15, 17-20, 22-25, and 27-30 in view of the amendments to the claims and arguments as set forth in detail in the following remarks.

OBJECTIONS TO THE SPECIFICATION

The specification was objected to as failing to provide proper antecedent basis for the subject matter of Claim 25. Paragraph [0068] of the specification was amended in accordance with the Examiner's suggestion to recite "computer-readable medium" instead of "system-readable medium." Accordingly, Applicant requests that the Examiner withdraw the objection.

OBJECTIONS TO THE CLAIM 20

The Examiner objected to the presence of "the graphical user interface" as lacking antecedent basis. Applicant has amended Claim 20 to more particularly point out and claim the subject matter that the Applicant regards as the invention, and requests that the Examiner withdraw the objection.

CLAIM REJECTIONS – 35 U.S.C. § 103

Claims 1, 10-12, 14-15, 18-20, 23-25, 29 and 30 were rejected under 35 USC § 103(a) as being unpatentable over Ismael in view of E. The Examiner has maintained his previous position that Ismael teaches a network that has a cluster architecture citing

Ismael, Col. 3, Lines 40-53), but concedes that Ismael does not teach that the cluster of application servers have a dispatcher, or that the application servers are in communication with a central service having a locking service and a messaging service. However, the Examiner now cites a new reference to E that discloses a distributed data system having load balancing as curing the deficiencies of Ismael, and concludes that it would have been obvious to combine Ismael with the distributed data system of E to make the claimed invention. Applicants disagree and traverse the rejection. Nevertheless, in order to advance the prosecution of the application as quickly as possible, Applicant has further amended independent Claims 1, 15, 20 and 25 to more particularly point out and claim the subject matter that the Applicant regards as the invention. Claim 1, as currently amended, now recites:

1. A computer-implemented method employed within a network of application server instances having a cluster architecture, comprising:

displaying a representation of a plurality of management beans (MBeans) registered with an MBean server on a graphical user interface of a computing device, wherein each of the displayed MBeans represents a manageable resource *of an application server instance within a cluster of application server instances, each application server instance having a group of server nodes configured with a redundant set of application logic and associated data, the cluster having a dispatcher and a central service, the application server instances in communication with the central service, the central service having a locking service and a messaging service;*

monitoring the manageable resources within the cluster, including receiving information regarding the manageable resources within the cluster from the plurality of MBeans registered with the MBean server;

selecting one of the plurality of MBeans displayed in the graphical user interface; and

accessing an attribute of the selected MBean with the graphical user interface to view the received information regarding the manageable resource represented by the selected MBean.

Applicants maintain their position that Ismael fails to teach or disclose MBeans that represent a manageable resource *within a cluster of application servers*. Nevertheless, in an effort to advance the prosecution of this application as quickly as possible, Applicant has clarified the subject matter of Claim, and submits that Ismael also fails to teach or disclose MBeans that represent a manageable resource *within a cluster of application server instances, each application server instance having a group of server nodes configured with a redundant set of application logic and associated data, the cluster having a dispatcher and a central service, the application server instances in communication with the central service, the central service having a locking service and a messaging service*; as now recited in Claim 1.

Applicant further submits that nothing in Ismael discloses *monitoring the manageable resources within the cluster of application server instances, including receiving information regarding the manageable resources within the cluster from the plurality of MBeans registered with the MBean server*, as now recited in claim 1. The only references to management beans in Ismael that Applicant could find, appearing in Col. 19-20, are very general, and do not disclose *MBeans that represent manageable resources with a cluster of application server instances*, as claimed, much less *monitoring the manageable resources within the cluster, including receiving information regarding the manageable resources within the cluster from the plurality of MBeans registered with the MBean server*, as now recited in claim 1. Applicant submits, therefore, that the newly cited reference to E does not cure the deficiencies of Ismael.

Independent claims 15, 20 and 25 similarly recite displayed management beans representing a manageable resource within a cluster of application server instances, and monitoring the manageable resources within the cluster, including receiving information regarding the manageable resources within the cluster from the plurality of MBeans registered with the MBean server. Claims 9-12, 14, 18-19, 23-24, 29 and 30 depend from claims 1, 15, 20 and 25, respectively. Thus, for at least the same reasons that Claim 1 is patentably distinguishable over Ismael, either alone or in combination with the new reference to E, Applicant submits claims 10-12, 14-15, 18-20, 23-25, 29 and 30 are also patentably distinguishable over Ismael and E.

Claim 13 was rejected under 35 USC § 103(a) as being unpatentable over Ismael in view of E, further in view of Yeluripati. Claims 3-9, 17, 22, 27 and 28 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Ismael in view of E, and further in view of Hessmer. But neither the new reference to E, nor the previously cited references to Yeluripati or Hessmer cure the deficiencies of Ismael for the same reasons that Applicant has previously presented. Applicant submits that Claims 3-9, 13, 17, 22, 27 and 28 are allowable, at least in part, because they depend from allowable independent Claims 1, 15, 20 and 25, and because of their additional limitations.

CLAIMS 20-24 – 35 U.S.C. § 112, Sixth Paragraph

The Examiner noted that Applicant's previous amendment to Claim 20 failed to remove all of the references to "graphical user interface" modifying the means for elements. Applicant apologizes for this oversight, and in this response further amends Claim 20 to remove all references to "graphical user interface." Accordingly, Applicant

again requests, therefore, that all of the elements of Claims 20-24 be interpreted under 35 U.S.C. §112, Sixth Paragraph.

CONCLUSION

For at least the foregoing reasons, Applicants submit that the rejections have been overcome. Therefore, Claims 1, 3-15, 17-20, 22-25, and 27-30 are in condition for allowance and such action is earnestly solicited. The Examiner is respectfully requested to the undersigned by telephone if such contact would further the examination of the present application. Please charge any shortages and credit any overcharges to our Deposit Account number 02-2666.

Respectfully submitted,
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